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ABSTRACT

The selection of a highly qualified staff is important to the development of an excellent school. In this article, school administrators are advised in the area of personnel selection about preparations for interviewing, conducting an interview, relevant questioning, and the art of effective listening. A major contribution is a review of what constitutes a lawful interview and the possible repercussions of violating statutes pertaining to the interviewing process. Federal and Oregon legislative acts pertaining to equal employment are summarized and applied to topics that may be discussed at an interview with examples of lawful inquiries and unlawful inquiries. (Author/MLF)

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# OSSC BULLETIN

# THE EMPLOYMENT INTERVIEW: AN ESSENTIAL SELECTION TOOL

by

Jim Badertscher

Oregon School Study Council
Vol. 23, No. 5
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## PREFACE

Dr. James Badertscher currently is principal of Periwinkle Elementary and Oak Creek Elementary Schools in the Greater Albany Public School District. These two schools in the mid-Willamette Valley enroll approximately 400 pupils.

Recognizing the importance of a highly qualified staff to the development of an excellent school, Dr. Badertscher developed a strong interest in the special area of personnel selection. His Bulletin speaks to preparations for interviewing, conducting an interview, relevant questioning and the art of effective listening. A major contribution however, is his review of what constitutes a lawful interview and the possible repercussions of violating statutes pertaining to interviewing process.

Previously Dr. Badertscher has authored another Oregon School Study Council Bulletin on "Inducting Newly Placed Teachers: Orientation Responsibilities of the School Administrator" (June, 1978).

Kenneth A. Erickson
Executive Secretary
Oregon School Study Council

## PURPOSE OF THE INTERVIEW

Employment interviews serve two functions which comprise an integral part of the hiring process. First, they allow the interviewer to secure information in a "face-to-face" encounter by obtaining specific facts about the applicant's background, experience and general qualifications. Second, employment interviews allow interviewers to provide information about the organization to the applicant.

The interview is interactive communication and extends beyond the spoken word. It is conversation--plus the exchange of purposeful gestures, expressions and inflections. Linder (1975) defines the employment interview as a "two-way conversation (by verbal and nonverbal methods) with a specific purpose."

The purpose of the employment interview also is examined by Rogers and Fortson (1975)--"The interviewer's job is to locate a suitable candidate, an individual who can perform specified duties at a specified level."

The interview provides an opportunity to elicit information which is not found on written application forms. This personal encounter also allows the candidate to seek information about the position and the organization. The interviewer in providing information should give an honest appraisal of both the opportunities and the disadvantages of the position.

The interviewer must utilize the interactive function of the interview to verify, clarify, and to obtain additional data from the applicant.

However, information sought from the potential employee must relate to the advertised job performance standards--and to the purpose of the interview.

## PRE-INTERVIEWING PREPARATIONS

It would be convenient were all interviewing situations identical. Such is not the case. As a result, pre-interview planning is necessary to ensure an effective and productive questioning format while making certain that 1) the areas and topics covered during the interview session best reflect the requirements and responsibilities of the vacant position, 2) the interviewer has access to candidate background information, 3) the interviewer is aware of the objectives of the interview itself. Pre-interview preparation promotes a more thorough, productive interview, enabling an interviewer to make selection decisions based on solid knowledge of both the position and the candidate.

### Know the Position

Those who have the responsibility for conducting employment interviews should gain as much information as possible about the performance required for the particular job opening. They should have full knowledge of the skills, abilities, and specific traits being sought. The most informative tool at this point is the position job description.

Job descriptions are of basic value in gaining familiarity with the desired traits and abilities of an applicant. They provide the interviewer with the job functions and activities. Further, they educate the interviewer to certain performance factors deemed appropriate in a successful applicant. Finally, this job familiarity enables the interviewer

to more accurately seek applicant responses, as well as to more accurately respond to the questions asked by the candidate.

Know the Candidate

Pre-interview preparation allows an interviewer to "get to know" the candidate through a review of written application materials. This is vital as it serves to give interviewers a brief background scan. Screening such materials helps to develop certain questions which may need to be clarified, verified, or expanded during the oral session. A careful review of application forms, resumes, and written communications from the applicant suggest follow-up questions to be asked during the interview. Reference letters are another valuable tool in getting to know the candidate. Such information can be instrumental in filling "cloudy gaps" in background information, in avoiding duplication of information, and in using the alloted interview time to the interviewer's fullest advantage.

Know Interview Objectives

Interviews are most often constrained by time limits. It is imperative that time available be used to its fullest. One method of ensuring that the majority of important areas are covered during the course of the interview is to establish and follow specific interview objectives. When many candidates must be interviewed within a specified period of time, it is advantageous to have interview objectives and questions listed. In so doing a structured interview format is established allowing each candidate to be asked the same general questions. If the interviews are to be evaluated objectively, and if questions asked of each candidate are to be consistently job-related, a structured interview

format is a requirement. It also enables the interviewer to explore all important areas within the time allowed for each candidate.

## THE INTERVIEW DESIGN

Persons charged with the responsibility of designing employment interviews must attend to several important concerns. These relate to the interview climate (including space and location), timing and interview length, and interview participants.

### The Interview Climate

A productive method for developing a friendly, relaxed interview climate is to establish an informal rapport at the beginning. Creation of a non-threatening atmosphere is viewed by the applicant as a supportive maneuver to eliminate tension and anxiety. Another supportive maneuver which should be considered is that of making appropriate arrangements for the location of the interview.

The variables of interview space and location relate primarily to physical comfort and convenience of interview participants. Discomfort is noted when candidates are cramped in a small area, when they are seated across a large desk from the interviewer, and when they are in a noticeably inappropriate area for conducting personal conversation. Interviewers concerned with a positive image will ensure that candidates are relaxed and that the interview session will be undisturbed by phone calls, interruptions, or distractions.

Interview Timing and Length

Timing and interview length also are important factors to consider. Many hiring-agencies make one of two mistakes.

- They rush at the last minute to fill a vacancy,
- They interview before the available position is open.

Neither of these practices is very productive. Failure to allow adequate job advertisement time may lower the quality of the applicant pool. Qualified people may be discouraged from applying due to time limitations associated with forwarding records or obtaining current letters of recommendation. It is safe to assume that interested individuals are able to complete application procedures within a three to four week period.

The length of an interview normally is a factor of the position to be filled. The interview time alloted to fill a classroom aide vacancy will not be the same as that alloted to fill a superintendency. This is not to say that one person is more important than the other, But that the responsibility levels of the two different positions result in a disparate amount of interview time.

Interviewing Applicants

Several authors have argued that it is inappropriate to have more than one interviewer present during an interview session. They believe that more than one interviewer will be distracting, confusing, or frustrating to the candidate. In education, however, this theory is not appropriate. Education is a people business--one comprised of continual personal and professional interaction. Such interaction should be represented in our search to find the correct candidate for the educational team.

If a school system is searching for a fifth grade teacher it is very reasonable to expect that a team of interviewers will participate in interviewing the finalists. The building administrator easily could interview and select one candidate from this pool; however, consider an alternative. A selection team of the administrator, a fourth grade teacher, a sixth grade teacher, a remedial teacher and a parent would most likely elicit more useful information than could one administrator. The addition of these people to the interview team may guarantee more thorough questions in the areas of elementary curriculum, relationships to students with specialized learning needs, parent conferencing skills, and a host of others. The questions raised for applicant response by a team may be more specific, more thought-provoking, and more job-related than those questions of any single individual.

Small groups of interviewers also can be helpful in selecting building administrators or central office staff. Most school systems when searching for administrative replacements will appoint a representative committee to participate in the interview. These committees often consist of central office personnel, administrators, teachers and, on some occasions, lay members. This team approach strategy toward interviewing can be most effective--particularly if those participating agree on the candidate's qualifications.

## CONDUCTING THE INTERVIEW

There are many prescriptive approaches on "how to interview." In most instances the "newest" plan is simply a composite of the best portions of preceding plans. Of course, all are slight or significant modifications of the original.

DEVELOPING AND MAINTAINING TRUST among the interview participants is imperative for a productive interview. Employment interviewers must understand that distrust hinders communication. An employment interview which lacks a good communication system poses definite problems.

The EMOTIONAL ATMOSPHERE of the interview also should be considered. The employment interview often is a stressful experience for a candidate. Yet many employers are interested in the applicant's ability to perform under just such conditions. The atmosphere created for the employment interview ought to reflect the image the organization wishes to portray as well as the environment in which the organization wants the candidate to to respond.

Lopez (1975) offers this insight into the effective employment interview--"Conducting an effective employment interview requires more than appreciation of its structural and functional aspects. There are definite techniques and procedures that must be followed to make the entire encounter flow smoothly and yield a maximum amount of relevant information in the available time. Control of these factors, information and time, results in an effective interview. To conduct such an interview requires an interview plan and a deliberate sequence of interview events."

Richardson (1965) contends that even if the interviewer selects the best interviewing design, selects the most promising group of applicants,

develops the most effective statement of purpose, and elicits the highest degree of interaction, there is still no assurance of a satisfactory interview. Whether interviewers are successful in obtaining the necessary information depends entirely on the communication that takes place during the interview itself.

The following are a selection of suggested interview strategies to employ and a selection of strategies to avoid.

Strategies to Employ

A. Question all candidates in an objective manner. Assure that questions are job-related and taken from a guide which guarantees similar questioning of all applicants.

B. Develop general questions which require an extended response beyond a simple yes or no.

C. Conceal your reactions to questions or statements from the applicant, guarding against both verbal and nonverbal clues of your interpretation.

D. Encourage candidates to develop their own responses unless you are using some specific questioning strategy.

E. Work towards eliciting genuinely revealing candidate responses.

F. Avoid displaying personal opinions or views in your conversation.

G. Use direct eye contact during discussions to promote sincere questions and courteous attention.

Strategies to Avoid

A. Avoid developing personal biases particularly early in the interview.

B. Avoid lengthy, drawn out questions.

C. Avoid moving on to the next topic while there still is doubt or uncertainty about the question at hand.

D. Avoid allowing candidates to get "off-track" or ramble especially if it is evident that they seem incapable of answering.

E. Avoid candidate humiliation through stressful questioning unless the question is job-related and has a specific purpose.

## THE RELEVANCE OF QUESTIONING

When the specific demands of a job have been identified and the desired training and experience determined, it is appropriate to formulate the specific questioning format. In many instances an interviewer will ask an applicant questions to elicit responses which depict special interests or personality traits. Although some interviewers view certain personality characteristics as indicators of future success, others ask such questions to gain insight into how a particular applicant might fit into the organization.

The formulation of questions during the interview process serves a dual purpose. The questions often are designed to obtain specific information and to motivate the candidate to be more communicative thus encouraging an elaboration or clarification of a response.

The TYPES OF QUESTIONS asked during an employment interview do not differ from those asked in most other interviewing formats. Questions should be straightforward so that applicants receive no clues and are not led to respond in any manner other than that which they choose. However, some employment interviewers also use a directed (or leading) question in an attempt to sway an appliant's response. This type of question may assess the firmness of an applicant's belief or the willingness of the applicant to be led.

The probing question is perhaps the most useful to an interviewer. This question may be used to gain expansion, clarification, or hypothetical reaction. The probing question is designed to motivate the respondent to communicate more fully when the original response is

unclear or incomplete. The choice of the questioning styles should closely relate to the particular job situation and to the information needed.

Questions which are most likely to procure the greatest information are those which deal with the behavioral make-up of the applicant. Interviewers seeking behavioral information should focus their questioning on such areas as:

- choice of career field
- reason for changes during the course of educational training
- reasons for changes in career field
- reasons for past job changes
- reasons for wanting a job change now

## THE ART OF LISTENING

Although the art of productive questioning of an applicant during the interview serves a major role in gathering useful information upon which selection decisions are based, the ART OF LISTENING is equally important. Active listening by the interviewer enriches effective utilization of time and aids in more accurately assessing the candidate's responses. The less the interviewer talks the more the candidates need to fill the void. Most candidates arrive at the interview with a preprogrammed set of facts they wish to offer as well as other facts they prefer to hide or gloss over. Silence is extremely valuable in drawing out candidate information.

Many interviewers interfere in their own information-gathering by rushing in to fill a silent gap in the conversation. But most often a candidate's initial response to a question is a preprogrammed one.

If the interviewer implies through silence that the answer is somehow inadequate, the candidate's internal pressure may force out the real answer. Responses such as "go on" or "tell me more" will encourage further comments. A successful interview should leave candidates feeling that they have been given full opportunity to present their qualifications. Attentive listening is essential for this to be accomplished.

## CONDUCTING THE LAWFUL INTERVIEW

Three main concerns are incorporated into the design of a lawful interview. The first is certainty that *INTERACTION* which takes place during the interview is *BASED ON THE KNOWLEDGE, SKILLS AND ABILITIES NECESSARY TO PERFORM THE JOB.* The second is knowing that *QUESTIONS* asked *RELATE TO THE JOB AND TO JOB-RELATED TASKS* (including discussions of working conditions). The final concern is that *THE SAME QUESTIONING FORMAT IS FOLLOWED WITH ALL APPLICANTS.*

A major requirement for designing an appropriate interview format is a sound understanding of legislated guidelines. These laws were enacted to provide assurance that individual rights and privileges receive proper consideration during the employee selection process.

Stanton (1977) affirms, "There is today no doubt whatsoever that equal employment opportunity for all persons--irrespective of race, color, religion, ethnic origin, sex or age--has firmly become the law of the land." The following legislative acts substantiate Stanton's remark.

### Title VII of the 1964 Civil Rights Act

This federal act applies to all organizations with 15 or more employees. It prohibits discrimination in employment based on race, color, religion, sex and national origin. It covers all terms and conditions of employment and holds the employer responsible for any discrimination which may occur within the organization regardless of intent.

### The Age Discrimination in Employment Act of 1967

This federal act covers the same employers included in Title VII. It bans discrimination based on age against anyone between the ages of 40 and 65. Oregon law prohibits discrimination based on age against anyone between the ages of 18 and 65.

The Equal Employment Act of 1972

This Act is concerned with providing remedies for situations not covered in the Civil Rights Act of 1964. It has expanded the scope of the 1964 legislation to include: state and local government agencies, labor organizations of 15 or more members, and educational institutions.

Vocational Rehabilitation Act of 1973-Section 504

This federal act provides equal employment opportunity for the physically or mentally handicapped. Under this law it is illegal to discriminate against a physically or mentally handicapped person for non-job-related reasons. Definition of handicapped: (1) an impairment to any life function--includes deafness, diabetes, mental retardation, and epilepsy; (2) drug addiction; (3) alcoholism.

Oregon Revised Statute
659.030

Under Oregon law, it is an unlawful employment practice for employers to discriminate against any person on the basis of race, color, religion, sex or national origin, age or mental or physical handicap. It is also unlawful for employers to use any form of application, publication or inquiry in connection with prospective employees which limits or discriminates against individuals on the criteria previously mentioned.

659.405

> "659.405 1) It is declared to be the public policy of Oregon to guarantee physically and mentally handicapped persons the fullest possible participation in the social and economic life of the state, to engage in remunerative employment, to use and enjoy places of public accommodation, resort or amusement, and to secure housing accommodations of their choice, without discrimination.
> 2) The right to otherwise lawful employment without discrimination because of physical or mental handicap where the reasonable demands

of the position do not require such a distinction, and the right to use and enjoy places of public accommodation, resort or amusement, and to purchase or rental of property without discrimination because of physical or mental handicap, are hereby recognized to be the rights fo all the people of this state. It is hereby declared to be the policy of the State of Oregon to protect these rights and this 1973 act shall be construed to effectuate such policy. It is an unlawful employment practice for any employer to refuse to hire, employ, promote, or to bar, discharge, dismiss, reduce in compensation, suspend, demote or discriminate in work activities, terms or conditions because an individual has a physical or mental handicap, unless it can be shown that the particular handicap prevents the performance of the work involved."

Several states exceed the federal regulations by making inquiries into the following areas illegal unless the question can be justified as being related to job performance:

Personal data.....height, weight, hair and eye color, dependents, information about a spouse, citizenship, date of birth, and availability for weekend work.

Personal Background.....military service record, record of arrests and/or convictions, and club or organizational membership.

Personal Finances.....rental/home ownership, lowest acceptable salary, and credit record information.

## AREAS OF INTERVIEWING CONCERN

Although it may not be the intent of the interviewer to indulge in an illegal practice, areas and questions that might be considered discriminatory should be avoided. Interviewers should be aware that when they inquire into any of the following areas they may evoke a complaint of discriminatory practice. Even if the information solicited during discussions of the following topics is not used for hiring decisions, the questions may have the unlawful effect of tending to discourage protected groups (minorities and women) from making application. Remember that this list is concerned only with potentially unlawful use of the information given by applicants when responding to questions.

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Name | "Have you ever worked for this organization under a different name?" | Inquiries about the name which would indicate the applicant's lineage, ancestry, national origin or descent. |
| | Maiden name. | |
| | "Is any additional information relative to change of name, use of an assumed name or nickname necessary to enable a check on your work or educational record?" | Inquiry into previous name of applicant where it has been changed by court order or otherwise. |
| Address or Duration of residence | Applicant's address. Inquiry into place and length of current and previous addresses. | Specific inquiry into foreign addresses which would indicate national origin. |
| | "How long a resident of this state or city?" | |

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Age | If a minor, require proof of age in the form of a work permit or a certificate of age.<br><br>Require proof of age by birth certificate after hiring.<br><br>Inquiry into whether or not applicant meets the minimum age requirement as set by law and requirement that upon hire proof of age must be submitted in the form of a certificate of birth. If age is a legal requirement: "If hired, can you furnish proof of age?" /or/ Statement that hire is subject to verification of age. | Requirement that applicant state age or date of birth before selection decision has been made. |
| Sex | Only if nature of the work or working conditions provide valid reasons.<br><br>Where a bona fide occupational qualification is reasonably necessary to the normal operation, motif, culture, or atmosphere of that particular business or enterprise. | "Are you expecting?" or "Are you pregnant?" |
| Marital Status | NONE | Number of children.<br><br>Ages of children.<br><br>Questions about marital status.<br><br>Any inquiry into child care while applicant is working. |

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Birthplace or National Origin | "Can you submit proof of U.S. citizenship after hiring?" | Inquiry into birthplace. |
| | Languages applicant reads, writes or speaks fluently.. if applicable to the position. | Inquiry into birthplace of parents, grandparents, or spouse. |
| | | Other inquiries into national origin. |
| | | Languages spoken if not necessary for performance of job. |
| Race/Color | NONE | Any inquiry which would lead to identification of race or color, such as questions of height, weight, eye or hair color. |
| Photograph | May be required for identification after hiring. | Request photograph before hiring. |
| | | Requirement that applicant affix a photograph to the application. |
| | | Request that applicant submit photograph with written application. |
| | | Requirement of photograph after interview but before hiring. |
| Religion/ Creed | Inquiry as to whether or not working days and working hours at the job will cause a conflict of interest. | Any inquiry to indicate or identify denomination or customs. |
| | | Request pastor's recommendation or reference. |
| | | Any inquiry into which religious holidays the applicant observes. |

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Citizenship | Whether a U.S. citizen | "Of what country are you a citizen?" |
| | If not, whether applicant intends to become one. | If native born or naturalized. |
| | If U.S. residence is legal. | Whether parents or spouse are native born or naturalized. |
| | If spouse is citizen. | |
| | Require proof of citizenship after hire. | |
| Relatives | Inquiry into name, relationship and address of person to be notified in case of emergency. | Any inquiry about a relative other than spouse or childrens' names. |
| | If applicant is a minor, name of parent or guardian. | Any inquiry as to where spouse or parents of applicant work or reside. |
| | | Any inquiry as to whether spouse attends school and/or what the spouse plans after graduation. |
| Military Service | Inquiry into service in U.S. Armed Forces. | Inquiry into military service records of any service duty other than U.S. |
| | Rank attained. | Request military service records. |
| | Which branch of service. | |
| | Require military discharge certificate after hire. | |
| Education | Inquiry into what academic, professional or vocational schools attended. | Any inquiry asking specifically the nationality racial or religious affiliation of a school. |
| | Inquiry into language skills, such as reading or writing a foreign language. | Inquiry as to what is mother tongue or how foreign language ability was acquired, unless necessary for the job. |

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Organizational Membership | Inquiry into organization memberships, excluding any organization, the name or character of which indicates the race, color, religion, sex, national origin or ancestry. | Inquiry into all clubs or organizations where membership is held. |
| Arrest Record | Whether convicted of a crime. | Ask or check into a person's arrest record. |
| Financial Status | NONE | Ask if the person has ever declared bankruptcy or had wages garnished.<br><br>Inquiry into which bank the applicant uses.<br><br>Ask about outstanding loans.<br><br>Inquiries toward charge accounts or credit records. |
| Home/Car Ownership | It may be a requirement for a salesperson to have a driver's license, though, if driving is part of the job. | This method of determining level of affluence--unless the applicant is applying to be a salesperson or some other position using a car--discriminates against certain minority groups who must be given a fair chance for employment.<br><br>"Do you own a car?"<br><br>"How much are your monthly house payments?" |

| TOPIC | LAWFUL INQUIRIES | UNLAWFUL INQUIRIES |
|---|---|---|
| Experience and References | General and personal work references not relating to race, color, religion, sex, national origin or ancestry. | Request references specifically from members of the clergy, or any other persons who might reflect race, color, religion, sex, national origin or ancestry of the applicant. |
| | Why the applicant left former employment. | |
| | What kind of references the applicant would receive from the former employer. | |
| | What the applicant's prior job duties consisted of. | |
| | What the applicant liked or disliked about the former job. | |
| Work Schedule | Inquiry into willingness to work required work schedule. | Any inquiry into willingness to work any particular religious holiday. |
| Questions About the Vacancy | Any question which has a direct reflection on the job for which application is made. | Any non-job related inquiry that may present information permitting unlawful discrimination. |
| | What kind of job duties the applicant is interested in. | |
| | What the applicant feels in terms of self-evaluation toward the qualifications required for the specific job. | |
| Miscellaneous | Statement to applicants that any misstatements or omissions of material facts in the application may be cause for dismissal. | |

## DISCRIMINATION DEFINED

A principal aspect of reviewing the legislative concerns involved in interviewing is consideration of three general categories of discrimination. It is imperative to stress to interviewers that the major responsibility involved in eliciting information from candidates is to make certain that their questions are strictly job-related. Three areas of general discrimination fit into the following groupings:

1. Discrimination through specific intent.
2. Discrimination by different treatment.
3. Discrimination based on disparate effect or adverse impact.

### Specific Intent

Any question, test or procedure which is specifically designed to exclude people because of race, color, religion, national origin or sex is clearly against the law. As in any legal process, proof of that intent would have to be established. However, there are a variety of court cases which indicate that action has been taken in areas where there seems to be reasonable evidence that there was specific intent to discriminate against selected groups of potential applicants.

### Questions Resulting in Different Treatment

If selection and promotion criteria are clearly being handled differently for various groups, it is probable that the practice will be found illegal. For example, if the interviewer consistently asks women applicants different questions than asked of male applicants or, if different standards, criteria or investigatory techniques are used, then the practice may be found unlawful. Specifically then, asking a woman how many children she has or if she plans to have any (or any more) and not asking a man the

Few interviewers intend to discriminate. In fact, the majority of discrimination cases usually involve disparate effect. In this situation something in the interview process causes "unfair" treatment to a particular group of individuals. The best method of avoiding this problem is to verify whether the interview questioning process covers the following concerns:

Are the questions → Legal with respect to legislation?
Are the questions → Job-related?

Is the questioning format the same for all applicants?

Is the information being sought related to knowledge, skills, and abilities required or needed to do the job?

## POSSIBLE RESULTS OF INTERVIEWING VIOLATIONS

When violations in interviewing practices occur applicants have a variety of recourses. Federal district courts have been authorized to accept civil actions in cases involving infractions of the employment process. Also, the Equal Employment Opportunity Commission (EEOC) or the attorney general is authorized to bring action in the federal district courts if the Commission has been unable to obtain an "acceptable conciliation agreement" from the aggrieved person's employer (or potential employer). An aggrieved person also may go directly to court to sue in cases of alleged discriminatory practices if no case has been brought by the EEOC or the Attorney General's Office within one hundred eighty days after the complaint has been filed. These actions are also available to the potential employee who has suffered discriminatory practices during any phase of the screening and interviewing process.

If equal employment opportunity violations are affirmed, the courts have an assortment of course action remedies. They may require the employer to provide back pay (retroactive to the date of the confirmed violation), as well as all legal costs and damages which result from the suit. The courts may also require the employer to provide other "appropriately equitable relief" to the aggrieved party. In all instances of confirmed employment violations, the courts order a complete assessment and update of the employer's affirmative action programs. The federally mandated equal employment guidelines are strictly enforced.

## SUMMARY

According to Rogers and Fortson (1976), "A major consequence of the enforcement of antidiscrimination laws is the close scrutiny now given to the employee selection process. One of the most vulnerable employment tools, the applicant interview, will undoubtedly be under increasing attack."

Interviewers now are in a challenging and responsible position. They should have access to technical assistance to enable them to accurately analyze applicants when making interview-based selection decisions. Every personnel interviewer needs to constantly keep abreast of new regulations and requirements by keeping current with changes in employment legislation.

Interviewers should strive to conduct sound, factual, and honest interviews. The list of "can/cannot" questions to be asked by interviewers is not permanently established. It can change according to specific

situations. If interviewers are certain that questions used during the employment interview are job-related and do not "select out" minorities by reflecting discrimination, they can be relatively secure that courts will support a fair and relevant interview questioning process.

Success in employment interviewing is attained by discovering, mastering, and integrating the many specific techniques required to clearly outline the selection process. It is imperative that the interview and its objectives be planned intelligently. Questioning processes will then avoid infractions of established legal guidelines from first contact to final selection.

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